

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL HOLTSINGER,

Plaintiff,

No. CIV S-03-0732 MCE CMK P

vs.

J.M BRIDDLE et al.,

Defendants.

ORDER

Plaintiff, who is a state prisoner proceeding without counsel and in forma pauperis, brings this civil rights action pursuant to 42 U.S.C. § 1983. This proceeding was referred to the undersigned by Local Rule 72-302 by the authority of 28 U.S.C. § 636(b)(1). On January 27, 2006, defendant D.L. Runnels filed a stipulation of voluntary dismissal with prejudice.

Accordingly, IT IS ORDERED that defendant D.L. Runnels is dismissed from this action, with prejudice, pursuant to Fed. R. Civ. P 41(a)(2).

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1 IT IS FURTHER ORDERED that Defendant T. Knight and defendant John Doe #  
2 5 remain as defendants in this case.

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4 DATED: February 9, 2006.

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7 **CRAIG M. KELLISON**  
8 UNITED STATES MAGISTRATE JUDGE  
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